REMARKS

The Examiner in the non-final Office Action mailed February 10, 2005 rejected original claims 1-8 and objected to original claims 1, 2, 4, and 6. The drawings filed on February 11, 2002 are accepted.

By this Amendment, claims 1, 2, 5, and 6 are amended and claims 3, 4, 7, and 8 are canceled.

Objection of Claims:

The informalities indicated by the Examiner in Claims 1, 2, 4 and 6 no longer exist in view of the amended claims.

Rejection of Claims under 35 U.S.C. 102:

Original claims 1-8 are rejected under 35 U.S.C. 102(c) as being anticipated by Schmidt (US 6,278,481).

Amended Claims 1 and 5

Claims 1 and 5 as amended are as follows:

1. An image capture device for capturing an image after startup of the image capture device, comprising:

an image sensor for image capture, including an active register used to manage the image sensor during image capture; and

a non-volatile, programmable memory connected to the image sensor, that is storing predetermined variables determined according to a specific use of the image capture device and that passes the predetermined variables to the active register upon startup of the image capture device.

5. A method for initiating startup of an image capture device for capturing an image after startup, the method comprising the steps of:

storing in a non-volatile, programmable memory connected to an image sensor for image capture, including an active register used to manage the image sensor during image capture, predetermined variables determined according to a specific use of the image capture device; and

passing the predetermined variables from the non-volatile, programmable memory to the active register of the image sensor upon startup of the image capture device.

Support for the amendment to claims 1 and 5 can be found in the application at page 2, lines 27-32

Schmidt does not anticipate amended claims 1 and 5 since Schmidt substantially differs from amended claims 1 and 5. For example, in Schmidt, captured image pixel data is provided from the CMOS imager 505 to the microcontroller 510 which then executes instructions stored in the program

memory 520 and subsequently outputs the pixel data through the buffer 525. See 10: 40-45. This is quite different than amended claims 1 and 5 which call for the program memory to pass stored variables to the active register of the image sensor upon startup of the image capture device. The program memory 520 in Schmidt does not do this!

Amended Claim 2

Schmidt does not anticipate amended claim 2 since Schmidt substantially differs from amended claim 2. For example, amended claim 2 calls for the program memory to be connected directly to the active register of the image sensor. By contrast, in Schmidt, the micro-controller 510, not the program memory 520, is connected directly to the CMOS imager 505. See FIG. 5.

Amended Claim 6

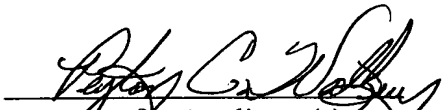
Schmidt does not anticipate amended claim 6 since Schmidt substantially differs from amended claim 6. For example, amended claim 2 calls for the program memory to be factory programmed to store the predetermined variables. There is no suggestion of this in Schmidt.

Summary:

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

However, for the reasons set forth above, it is believed that the application is now in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.